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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/892,139 | 06/26/2001 | Yasuhiko Mizushima | P/1878-171 | 1950 |
| 32172 | 7590 | 05/03/2005 | EXAMINER | |
| DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP | | | PHAN, HANH | |
| 1177 AVENUE OF THE AMERICAS (6TH AVENUE) | | | ART UNIT | PAPER NUMBER |
| 41 ST FL. | | | | |
| NEW YORK, NY 10036-2714 | | | 2633 | |

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|------------------------------|------------------------|---------------------|--|
| | 09/892,139 | MIZUSHIMA ET AL. | |
| | Examiner | Art Unit | |
| | Hanh Phan | 2633 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 26 June 2001.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1,5,6 and 8-11 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1, 5, 6 and 8-11 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All. b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____ .
5) Notice of Informal Patent Application (PTO-152)
6) Other: _____

DETAILED ACTION

1. This Office Action is responsive to the Amendment filed on 11/04/2004.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Ghaem (US Patent No. 5,335,361).

Regarding claims 1 and 10, referring to Figure 2, Ghaem discloses an optical data bus communication system of an artificial satellite, comprising:

a plurality of first devices (i.e., a plurality of first devices 143, Fig. 2), each of which is equipped with an optical transmitter (i.e., red light transmitter 219, Fig. 2) each transmitter transmitting signals of a differing wavelength (as indicated in Fig. 2, red light transmitter 219 transmitting a red light wave to the red light receiver 223, col. 4, lines 39-46);

a reflection means (i.e., reflective interior surface 103', Fig. 2) that is provided on the entire inner surface of, or at prescribed locations inside, the case of the artificial satellite; and

a plurality of second devices (i.e., a plurality of second devices 207, Fig. 2), each of which is equipped an optical receiver (i.e., red light receiver 223, Fig. 2) that receives optical signals that are transmitted from the optical transmitters (i.e., optical transmitter 219, Fig. 2) both directly and after reflection and diffusing by the reflection means (reflection means 103', Fig. 2), each receiver receiving optical signals of a different wavelength and reproducing the optical signals from these received signals (as indicated by Fig. 2, red light receiver 223 receives the red light wave transmitted from the red light transmitter 219, col. 4, lines 39-46).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ghaem (US Patent No. 5,335,361) in view of Heflinger (US Patent No. 5,726,786).

Regarding claim 5, Ghaem teaches all the aspects of the claimed invention as set forth in the rejection to claim 1 above except fails to teach the optical transmitter is equipped with a wide-angle LED as a light source for transmission, and the optical receiver is equipped with a wide-angle photodiode for receiving light emitted from the LED. However, Heflinger in US Patent No. 5,726,786 teaches the optical transmitter is

equipped with a wide-angle LED as a light source for transmission, and the optical receiver is equipped with a wide-angle photodiode for receiving light emitted from the LED (Figs. 1-4, col. 13, lines 60-67 and col. 14, lines 1-12). Therefore, it would have been obvious to one having skill in the art at the time the invention was made to incorporate the optical transmitter is equipped with a wide-angle LED as a light source for transmission, and the optical receiver is equipped with a wide-angle photodiode for receiving light emitted from the LED as taught by Heflinger in the system of Ghaem. One of ordinary skill in the art would have been motivated to do this since Heflinger suggests in column 13, lines 60-67 and col. 14, lines 1-12 that using such the optical transmitter is equipped with a wide-angle LED as a light source for transmission, and the optical receiver is equipped with a wide-angle photodiode for receiving light emitted from the LED has advantage of allowing providing a passive optical free space data bus and one transmitter can be transmit the signal to other receivers.

Regarding claim 6, the combination of Ghaem and Heflinger teaches the reflection means is a polygon reflection mirror (Figs. 1 and 2 of Heflinger).

6. Claims 8, 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ghaem (US Patent No. 5,335,361) in view of Heflinger (US Patent No. 5,726,786) and further in view of Ohhata et al (US Patent No. 6,304,357).

Regarding claims 8 and 11, Ghaem as modified by Heflinger teaches all the aspects of the claimed invention except fails to teach the optical receiver comprises an O/E converter for converting received optical signals to electrical signals, again control

means for converting electrical signals that are converted by the O/E converter to electrical signals of a required level; and a pulse width shaping means for converting electrical signals of a required level that are converted by the gain control means to digital signals of a prescribed pulse width. However, Ohhata in US Patent No. 6,304,357 teaches an optical receiver comprises an O/E converter for converting received optical signals to electrical signals, again control means for converting electrical signals that are converted by the O/E converter to electrical signals of a required level; and a pulse width shaping means for converting electrical signals of a required level that are converted by the gain control means to digital signals of a prescribed pulse width (Fig. 1, col. 1, lines 10-44). Therefore, it would have been obvious to one having skill in the art at the time the invention was made to incorporate the optical receiver comprises an O/E converter for converting received optical signals to electrical signals, again control means for converting electrical signals that are converted by the O/E converter to electrical signals of a required level; and a pulse width shaping means for converting electrical signals of a required level that are converted by the gain control means to digital signals of a prescribed pulse width as taught by Ohhata in the system of the combination of Ghaem and Heflinger. One of ordinary skill in the art would have been motivated to do this since Ohhata suggests in column 1, lines 10-44 that using such the optical receiver comprises an O/E converter for converting received optical signals to electrical signals, again control means for converting electrical signals that are converted by the O/E converter to electrical signals of a required level; and a pulse width shaping means for converting electrical signals of a required level that are converted by

the gain control means to digital signals of a prescribed pulse width has advantage of allowing increasing the power level of signal to a constant level and providing an optical receiver with high sensitivity and wide dynamic range.

Regarding claim 9, the combination of Ghaem, Heflinger and Ohhata teaches the pulse width shaping means comprises: a comparator that takes output of the gain control means as one input and a reference voltage as another input and, based on the positive or negative of the difference between these inputs, converts electrical signals of a required level that are output from said gain control means to digital signals; and a sampling means that performs sampling by a sampling signal of a prescribed frequency to convert digital signals that are converted by said comparator to digital signals of a prescribed pulse width (Fig. 1 of Ohhata, col. 1, lines 10-44).

Response to Arguments

7. Applicant's arguments filed 11/04/2004 have been fully considered but they are not persuasive.

The applicant's arguments to claims 1, 5, 6 and 8-11 are not persuasive.

Regarding independent claims 1 and 10, the applicant argues that the cited reference (Ghaem in US Patent No. 5,335,361) fails to the limitation "**each transmitter transmits signals of a different wavelength, and each receiver receives optical signals of a different wavelength**" of the independent claims 1 and 10. The examiner respectfully disagrees. Ghaem teaches that to eliminate potential direct interference, and allow simultaneous communications between transceivers is the use of different

wavelength transceivers. Figure 2 of Ghaem shows a red light transmitter 219, located on a microprocessor 143, transmitting a red light wave along electromagnetic wave path 221 to a red light receiver 223, located on a microprocessor 207 (col. 4, lines 39-46).

Therefore, it is believed that the limitations of claims 1, 5, 6 and 8-11 are still met by the combination of Ghaem, Heflinger and Ohhata, and the rejection is still maintained.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Phan whose telephone number is (571)272-3035.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan, can be reached on (571)272-3022. The fax phone number for the organization where this application or proceeding is assigned is (703)872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-4700.



HANH PHAN
PRIMARY EXAMINER